

Louisiana State Board of Examiners of Psychologists
BOARD MEETING MINUTES
Friday, December 14, 2018

Final Approved: 1/10/2019

The meeting of the Louisiana State Board of Examiners of Psychologists (Board or LSBEP) was noticed and agenda posted on, Thursday, December 13, 2018. Dr. Jesse Lambert called the meeting to order at 8:47 a.m. on Friday, December 14, 2018 at 4334 S. Sherwood Forest Blvd., Suite C-150, Baton Rouge, LA 70816. Present were Board Members, Drs. Jesse Lambert, Koren Boggs, Amy Henke, Leah Crouch, and Gregory Gormanous and Executive Director, Jaime T. Monic.

Dr. Lambert opened the meeting by reading the Board's Declaration of Purpose.

Dr. Gormanous wished to affirm his statement of service for the record as follows: *"My serving on LSBEP is to ensure that consumers of psychological services are protected against any unqualified, harmful and unauthorized practice, application or use of psychology. My service is as a consumer advocate and educator. My service is not as a market participant."*

Dr. Gormanous moved to approve the agenda as posted. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

Dr. Henke moved to approve the minutes of October 26, 2018, The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Henke – YEA, Dr. Gormanous – YEA.

Dr. Gormanous moved to approve the minutes of November 29-30, 2018 (LRP Meeting). The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Crouch– YEA, Henke – YEA, Dr. Gormanous – YEA.

EXECUTIVE SESSION:

Dr. Gormanous moved to enter Executive Session pursuant to LSA R.S.42:17.A(4) to review complaints and conduct file reviews. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

By motion of Dr. Gormanous, the Board unanimously agreed to close executive session to enter the following into the record:

COMPLAINTS [LSA R.S. 42.17.A(4)]:

1. **P17-18-04C** – Dr. Lambert recused himself, and was not present for the presentation or discussion of this matter. The Board discussed this matter and the proposed consent order with revisions, as executed by the respondent. Dr. Gormanous moved in favor of

accepting the Consent Order. The board approved the motion to accept the revised Consent Order by majority roll call vote as follows: Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA. Dr. Boggs, acting Vice-Chair, executed the Consent Order on behalf of the LSBEP, effective this date, which order effectuated the one year suspension of the license to practice psychology of **Christopher D. Garner, Psy.D., License No. 936.**, for violations of La. R.S. 37:2359.A., La. R.S. 37:2359.B(2)(b), La. R.S. 37:2359.B(2)(c), La. R.S. 37:2359.B(8), La. R.S. 37:2359.B(12), La. R.S. 37:2359.B(13); and the following ethical standards under the Louisiana Administrative Code, Title 46 Pt LXIII (§101et seq): §1305.F. (APA Ref. 2.06); §1307.B. (APA Ref. 3.02); §1307.D. (APA Ref. 3.04); §1307.E.1, E.2, and E.4 (APA Ref. 3.05); §1307.F. (APA Ref. 3.06); §1307.H. (APA Ref. 3.08); §1321.E. (APA Ref. 10.05); and §1321.H. (APA Ref. 10.08).

2. P17-18-05C – This matter previously discussed on November 29, 2018 was again reviewed by the Board in executive session. Dr. Gormanous moved to affirm the Consent Order as executed by both parties. The motion passed by majority roll call vote as follows: Lambert-YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA. Dr. Boggs, acting Vice-Chair, executed the Consent Order effective this date, on behalf of the LSBEP, which order represents formal disciplinary action against **Susan R. Andrews, Ph.D., License No. 270** for violations of the La. Admin. Proc. Act Title 49. Chapter 13 §§1307.J.1., 1307.J.2., 1307.J.5., 1321.A.2, 1321.A.1, 1321.B.1., 1321.B.2., and 1307.E.1.b.

3. In the matter filed by CB, received 12/10/2018 – Dr. Lambert presented this matter to the board in executive session. Dr. Gormanous moved in favor of closing the matter with a letter of information and clarification to the Complainant. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

4. P16-17-14C and P17-18-11C – In accordance with La. R.S. 46:906.A., in order to avoid ex parte consultations and in order to preserve the impartiality of board members eligible to serve on future hearing panels in this matter, Drs. Gregory Gormanous and Leah Crouch were recused from and were not present for any discussion of this matter. The Board members present representing a quorum (Drs. Lambert, Boggs and Henke) discussed this matter and future proceedings. The Board affirmed its previous motion to continue in this matter.

ORAL EXAMINATIONS [LSA-R.S. 42.16.1]:

Alyse Blanchard, Ph.D. – appeared before Board Members, Drs. Lambert, Boggs, Henke, Crouch and Gormanous for an oral examination for respecialization in Clinical Neuropsychology. The board discussed **Dr. Blanchard's** performance and qualifications in executive session. Finding that **Dr. Blanchard** has met the training and qualifications for practice in the area of Clinical Neuropsychology, Dr. Boggs moved that **Dr. Blanchard** be granted an additional specialization and recognized for practice in the area of Clinical Neuropsychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

Amy Mikolajewski, Ph.D. appeared before Board Members, Drs. Boggs and Henke for an oral examination for licensure in Clinical Psychology. The board discussed **Dr. Mikolajewski's** performance and qualifications in executive session. Finding that **Dr. Mikolajewski** has met the qualifications for licensure and received the required training for practice in the area of Clinical Psychology, Dr. Henke moved that **Dr. Mikolajewski** be granted a license to practice psychology with a declared specialty in Clinical Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous – YEA.

Dena Abbott, Ph.D. appeared before Board Members, Drs. Lambert, Crouch and Gormanous for an oral examination for licensure in Counseling Psychology. The board discussed **Dr. Abbott's** performance and qualifications in executive session. Finding that **Dr. Abbott** has met the qualifications for licensure and received the required training for practice in the area of Counseling Psychology, Dr. Gormanous moved that **Dr. Abbott** be granted a license to practice psychology with a declared specialty in Counseling Psychology. The Board discussed the motion. The motion passed by unanimous roll call vote as follows: Lambert- YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous – YEA.

SUPERVISION/CREDENTIALS COMMITTEE: APPLICANT/LICENSE FILE REVIEWS [LSA-R.S. 42.17.A(1)]

Dr. Crouch reviewed and presented the completed Application for Provisional Licensure for **Jennifer Bryant Rioux, Ph.D.** to the Board with a motion to confirm the applicants Candidacy status and approve her for a Provisional License for practice under the supervision of Amy Morvant, Ph.D. The Board discussed the motion. The motion passed unanimously.

Dr. Crouch reviewed and presented the completed Application for Provisional Licensure for **Franziska NoackLeSage, Ph.D.** to the Board with a motion to confirm the applicants Candidacy status and approve her for a Provisional License for practice under the supervision of Drs. Jane Morton and Emily Boudreaux. The Board discussed the motion. The motion passed unanimously.

Dr. Henke reviewed and presented the Application for License of **Elise C. McIver, Ph.D. (Provisional License #1460)** to the Board with a motion confirm the applicants Candidacy status and invite Dr. McIver to take the Oral Examination to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Crouch reviewed and presented the Application for License of **Erin McClure, Ph.D.,** to the Board with a motion to confirm the applicants Candidacy status and invite Dr. McClure to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Lambert reviewed and presented the Application for License of **Sadie L. Doll, Psy.D.,** to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Doll to take the Oral and Jurisprudence Examinations to complete the licensing process. The Board discussed the motion. The motion passed unanimously.

Dr. Henke reviewed and presented the Application for License of **Clifton S. Mixon, Ph.D.**, to the Board with a motion to confirm the applicants Candidacy status and invite Dr. Mixon to the written Examination for Professional Practice in Psychology. The Board discussed the motion. The motion passed unanimously.

Dr. Crouch reviewed the Temporary Registration of **Dr. William Brian Thomas** (Mississippi). Dr. Crouch, finding the requirements for Temporary Registration had been met, recommended the Board approve **Dr. Thomas'** registration. The Board discussed the motion. The motion passed unanimously.

Dr. Crouch reviewed the Temporary Registration of **Dr. Carol Pridmore Walker** (Alabama). Dr. Crouch, finding the requirements for Temporary Registration had been met, recommended the Board approve **Dr. Walker's** registration pending receipt of passing jurisprudence examination. The Board discussed the motion. The motion passed unanimously.

Dr. Crouch reported the review and approval of Supervised Practice Plan(s) for Timothy W. Overton, Psy.D.

COMMITTEE REPORTS: The Board received the following committee reports:

Executive Director Report – Ms. Monic reported the following:

- LSSP Meeting on December 4, 2018 was cancelled.
- Hearing date set for February 4, 2019 in the matter: Eric R. Cerwonka vs. Louisiana State Board of Examiners of Psychologists: Docket: 65658, Sec. 24/19th JDC/EBR Parish, Louisiana
- Next ASPPB meeting is in Santa Fe, NM April 11-14, 2019
- Taylor, Porter received Prestigious BBB of South Louisiana Torch Award for Ethics and thirty attorneys from their firm, including Amy Groves Lowe and Lloyd Lunceford were among the peer recognized 2019 “Best Lawyers in America”
- Moving Expenses: Ms. Monic reported that moving expenses were split with La Behavior Analyst Board, LSBEP's share to date is \$2,744.73. Additional filing cabinets are still needed, however LSBEP's liability will be far less than the approved \$5000.
- Ms. Monic reminded board members to complete requirements for ethics training and defensive driver training.

Finance Committee Report - Dr. Lambert reported that he reviewed and approved Leave Reports for Ms. Monic. The Board reviewed and by motion of Dr. Gormanous accepted the Financial Statements for November 2018 prepared by Valerie Dominique, CPA.

Oral Examination Committee Report – Dr. Boggs reported 4 oral examinations were scheduled this date.

Supervision/Credentials Review – Dr. Henke reported that recent file reviews continue to raise concerns related to training and credentials of individuals applying through Non-APA Accredited universities without internship training requirements. The concerns are primarily

related to scope of practice and individuals declaring competence in areas they have not documented required training under Chapters 3 and 7 of the Louisiana Administrative Code, 46:LXIII. Following discussion, Dr. Henke urged the board to address the issues as soon as possible, proposing the following resolution:

WHEREAS, the Board frequently receives applicants for licensure who meet the qualifications for licensure under the provision to allow services in a non-healthcare setting; WHEREAS, the applications of these individuals suggest practice/requested recognition to practice in areas where this training has not been documented in accordance with Chapters 3 and 7 of the Louisiana Administrative Code, 46:LXIII; WHEREAS, the Board is also moving toward revising regulations to redefine qualifications for licensing in general psychology versus healthcare service provider; WHEREAS, the Developmental Program at the University of New Orleans (UNO) has been identified as one program that the board frequently receives applicants from that fall within this discussion and may potentially be impacted by new regulations being considered; THEREFORE, the board resolves to invite the training director, or other individuals responsible for the developmental psychology program at the University of New Orleans, to meet in person with the board to discuss the current program, the training requirements, and potential impacts on students currently matriculating through the program; FURTHER, that the Executive Director of the LSBEP, Jaime Monic, be directed to initiate the invitation and schedule a meeting time with the individuals in charge of the training program at UNO.

Dr. Gormanous moved in favor of adopting the resolution. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

Complaints Committee: No report.

Liaison to Professional Organizations and Boards Report – No report.

Continuing Professional Development Committee – No report.

Long Range Planning/Awards Committee – Dr. Crouch reported that the Long Range Planning meeting was conducted on November 29-30, 2018 and was a successful, productive and well attended.

Jurisprudence Examination Committee – No report.

Legislative Oversight Committee Report – No report.

DISCUSSION/ACTION ITEMS

1. Recap LRP Meeting Action Items

a. Rulemaking 2018-19

i. Telepsychology – Dr. Lambert reported his progress on drafting telepsychology rules. He requested input from board members related to including requirements

addressing a) location of provider/location of patient, b) psychological testing via telepsychology, c) delegation of work to others via telepsychology, d) requiring in person visits, d) emergency commitments, e) informed consent, f) HIPAA, ethics and other regulatory compliance requirements, g) payments. The Board discussed these matters, no additional action was taken on this matter.

ii. Chapter 15. Rules for Disciplinary Actions - Ms. Monic reported that Ms. Newton would be providing revisions to the working draft. No additional action was taken on this matter.

iii. Reciprocity Applications – The board discussed, and Dr. Boggs agreed to work on a draft for consideration to amend the reciprocity requirements to require that Reciprocity Applicants provide primary source verification of their Doctoral Transcripts and, in the event the doctoral program was not APA approved, the Doctoral Program form.

iv. Applied Health Care Specialty/Applied General License – A small committee, including Dr. Gormanous and Dr. Boggs, was appointed to work on rule revisions related to this subject. Dr. Gormanous agreed to work on the draft. Dr. Boggs agreed to research how other states have used similar language in delineating between applied HSP vs. applied general (or other similar terminology).

b. EPPP-2 – The board reviewed and discussed continuing with a letter to ASPPB, as previously approved, to address and clarify the impacts, if any, on licensure and regulation by LSBEP as it relates to the October 24, 2018 email from ASPPB providing the “Jurisdictional Update on the Enhanced EPPP”, specifically to address the impacts of item #5 “Only applicants who are registered through a jurisdiction that has adopted the Enhanced Exam, and who have passed the skills portion of the exam.” And item #7: Fees for the skills portion of the exam, not including test center and jurisdictional fees will be \$300 for early adopters and \$450 after January 1, 2022. Dr. Gormanous agreed to draft the letter for consideration.

2. Proposed Rules: Continuing Education Requirements, Exemptions and Fees (LAC 46:LXIII. 601, 603, 803, 805, 811, 905 and 4001) – following review of written and oral comments received during the public comment period and also at the scheduled hearing to receive oral and written comments following the Long Range Planning Meeting on November 30, 2019, the board agreed to review and revise the proposed language of section 805 prior to filing a request to publish the Notice of Intent as a Rule. Dr. Crouch agreed to review and bring recommendations for new language for consideration by the Board.

3. 2018-19 Board Meeting Dates: The Board discussed and revised meeting dates as follows:
Thursday, January 10, 2019 – Board Meeting – No Oral Examinations
Thursday, January 24, 2019 - CANCELLED
Friday, January 25, 2019 – Board Meeting cancelled, date held for tentative committee meeting with representatives from the University of New Orleans.
Friday, February 8, 2019 – Board Meeting/Oral Examinations
Friday, March 22, 2019 – Board Meeting – No Oral Examinations
Thursday, April 18, 2019 – Board Meeting/Oral Examinations

Thursday, May 23, 2019 – Board Meeting – No Oral Examinations
Thursday, June 13, 2019 – Board Meeting/Oral Examinations

4. LSBEP Resource Page Disclaimer - Ms. Monic called the Board’s attention to the new and frequent requests it has been receiving since publishing suicide prevention resources on its website. Ms. Monic requested that a review of the currently listed resources on its website to ensure that any resource listed are a government resource, or otherwise not affiliated with a for-profit group or organization that may have a political agenda or lobby. Ms. Monic also suggested involving the board’s attorney to provide a disclaimer regarding the intent of the page, and preempting requests to advertise or link advertising pages. Dr. Henke volunteered to review the resources and report to the board on her findings.

5. Inquiry from Christine Powanda – The Board reviewed the inquiry from Dr. Christine Powanda related to barriers she incurred as a Developmental Psychologist in applying to become credentialed to accept insurance. Dr. Powanda states that in applying, the only available options in identifying her credentials were limited to “Clinical Psychologist” and “Neuropsychologist”. Dr. Powanda states she was advised by the credentialing company to use any related field to represent her credentials, to which she advised the company that was not ethically possible. Dr. Powanda provided a request to the company for a “domain change” and through her inquiry to the board, was requesting that the board provide a letter of education to the company. The Board discussed this request and directed Ms. Monic to respond to Dr. Powanda commending her for standing by her ethical obligation and taking initiative to request that the company change its domain options, but by motion of Dr. Henke, the board unanimously agreed to decline her request to provide a letter of education due to the fact that insurance companies are able to set their own standards and limit the providers they credential.

6. FARB Forum and Comprehensive Regulatory Training, January 24-27, 2019, New Orleans, LA –Ms. Monic requested approval to attend the conference. Ms. Monic discussed the option to split expenses with the La. Behavior Analyst Board. The Board reviewed the training being offered through FARB and the applicability to the Executive Director’s duties with the Board. Dr. Gormanous moved in favor of sending Ms. Monic to the FARB Forum and Comprehensive Regulator Training from January 24-27, 2019. The motion passed by unanimous roll call vote as follows: Lambert – YEA, Boggs- YEA, Henke – YEA, Crouch– YEA, Gormanous - YEA.

5:00 p.m. ADJOURN